REMARKS

At the time of the Second Office Action dated October 9, 2007, claims 1-18 were pending and rejected in this application.

CLAIMS 1, 3-8, AND 10-18 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON HELLERSTEIN ET AL., U.S. PATENT PUBLICATION NO. 2002/0073195 (HEREINAFTER HELLERSTEIN), IN VIEW OF CHRISTENSEN ET AL., U.S. PATENT PUBLICATION NO. 2002/0169842 (HEREINAFTER CHRISTENSEN)

On pages 2-5 of the Office Action, the Examiner asserted that one having ordinary skill in the art would have arrived at the claimed invention based upon the combination of Hellerstein and Christensen. This rejection is respectfully traversed.

Claim 1, in part, recites "observing state changes and action invocations in disparate applications through visual views of said applications." On page 3 of the Second Office Action, the Examiner asserted that paragraph [0023] of Hellerstein teaches "observing state changes and action invocations" and that paragraphs [0016]-[0025] and [0179] of Christensen teach "observing state changes and action invocations in disparate applications through visual views of said applications." Applicants disagree with both assertions.

Regarding paragraph [0023] of Hellerstein, although Applicants acknowledge that this paragraph refers to constructing correlation rules, this passage is silent as to these rules being based upon both observed state changes and action invocations. Referring to paragraph [0044] it

is stated that "[a]n analyst uses an event management decision support system 130 of the present invention to develop the correlation rules," but absent from the Examiner's cited passages is a teaching that the correlation rules are based upon observed state changes. Thus, Hellerstein fails to teach the limitations for which the Examiner is relying upon Hellerstein to teach.

Paragraphs [0016]-[0025] of Christensen merely describe some of the alleged "key features and benefits of the system" of Christensen and do not appear to be particularly relevant to the claim language. The Examiner's cited passage of paragraph [0179] is reproduced below:

> Each integration framework installation is remotely administered via the integration framework administration application. This application acts as a portal for administering one or more remote integration framework installations. The administration application presents a GUI view of a distributed network of integration framework installations. The administration application communicates with these remote integration framework installations via the SOAP protocol. By interacting with the administration application UI, the integration framework administrator can view, edit and save changes to the configuration and business logic associated with the remote.

As claimed, the state changes and action invocations in the disparate applications are observed through visual views (i.e., a plurality of views) of the applications. However, the Examiner's cited passage only refers to "a GUI view of a distributed network of integration framework installations." Thus, this passage fails to teach the claimed "visual views of said applications." Moreover, Applicants are unclear as to where this passage specifically teaches that both state changes and action invocations in the disparate applications are observed. Thus, Christensen fails to teach the limitations for which the Examiner is relying upon Christensen to teach.

On page 3 of the Second Office Action, with regard to the asserted rationale for modifying Hellerstein in view of Christensen, the Examiner asserted the following:

> It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the Event Management System of Hellerstein with the teachings of Integration Framework from Christensen because this feature would have provided a mechanism to enable the exchange of data and/or events between disparate systems and an

execution environment for the business logic required to map the data and event models of the disparate systems.

At the outset, Applicants note that the Examiner's assertions are mere generalizations regarding the benefits of the teachings of Christensen, as a whole, and not to the specific modifications of Hellerstein that the Examiner is alleging one skilled in the art would make based upon the teachings of Christensen. Moreover, it appears that this functionality is already present in the teachings of Hellerstein. For example, the exchange of data and/or events between disparate systems is ubiquitous is almost all networked systems. Also, Hellerstein teaches an event management system 110 that updates an event database with newly received events. As such, Applicants are unclear as to why one having ordinary skill in the art would have been impelled to modify Hellerstein in view of Christensen to obtain these alleged benefits since these alleged benefits do not appear to be additive to the teachings of Hellerstein.

Claim 3

Regarding claim 3, the Examiner referred to paragraph [0003] of Hellerstein as to the claimed "noting a time for each of said observed state changes." This passage, however, refers to events and not state changes, as claimed. Thus, Hellerstein further fails to teach the limitations for which the Examiner is relying upon Hellerstein to teach.

Therefore, for the reasons stated above, Applicants submit that the imposed rejection of claims 1, 3-8, and 10-18 under 35 U.S.C. § 103 for obviousness based upon Hellerstein in view of Christensen is not viable. Thus, Applicants respectfully solicit withdrawal thereof.

CLAIMS 2 AND 9 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON HELLERSTEIN IN VIEW OF CHRISTENSEN AND SRINIVASA ET AL., U.S. PATENT NO. 6,965,900 (HEREINAFTER SRINIVASA)

On pages 5 and 6 of the Office Action, the Examiner asserted that one having ordinary skill in the art would have arrived at the claimed invention based upon the combination of Hellerstein, Christen and Srinivasa. This rejection is respectfully traversed.

Applicants respectfully submit that the Examiner's citation of Srinivasa to teach the limitation recited in claims 2 and 9 is inappropriate. At the outset, Applicants note that the "event" described by Srinivasa does not corresponding to the claimed "state changes in said applications." Instead referring to the Background of the Invention, Srinivasa describes an event as "sporting events and entertainment events and the like." Thus, the identification of the event in Srinivasa by page crawling does not correspond to the claimed invention. Moreover, along the same lines, the paragraphs identified by the Examiner do not teach that the "events" are associated with applications (i.e., a plurality of applications).

Thus, Srinivasa fails to teach the limitations for which the Examiner is relying upon Srinivasa to teach. Therefore, Applicants respectfully submit that the imposed rejection of claims 2 and 9 under 35 U.S.C. § 103 for obviousness based upon Hellerstein in view of Christensen and Srinivasa is not viable and, hence, Applicants solicit withdrawal thereof.

Applicants also note that although this argument was made in the First Amendment, the Examiner did not respond to this argument. M.P.E.P. § 707.07(f) states that even if the

arguments are moot in view of the new ground(s) of rejection, the "examiner must, however, address any arguments presented by the applicant which are still relevant to any references being applied" (emphasis added). Since Applicants' arguments are still relevant, the Examiner is required to address these arguments.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Although Applicants believe that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

> When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction. (emphasis added)

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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